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DE RUEHLJ #0119/01 0601511  
ZNR UUUUU ZZH  
R 011511Z MAR 07  
FM AMEMBASSY LJUBLJANA  
TO RUEHC/SECSTATE WASHDC 5585  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

UNCLAS LJUBLJANA 000119

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DEPT FOR DRL/G/TIP, EUR/PGI, EUR/NCE

E.O. 12958: N/A

TAGS: [PHUM](#) [KCRM](#) [KWMN](#) [ELAB](#) [SMIG](#) [KRFD](#) [PREF](#) [SI](#)  
SUBJECT: SLOVENIA: ANNUAL TRAFFICKING IN PERSONS REPORT 2007

REF: 2006 STATE 202745

¶1. (U) This message transmits post's contribution to the Department of State's seventh annual report on Trafficking in Persons. Responses below are keyed to questions in paras 27-30 of reftel. Embassy POC is Pol/Econ Chief Colleen Hyland; tel. 386-1-200-5708, fax 386-1-200-5650. Based on information detailed below, Mission recommends that Slovenia be considered for placement in Tier One this reporting cycle. We have seen a continued focus on anti TIP activities in Slovenia in the last year including new prosecutions and convictions, which merits giving Slovenia serious consideration for inclusion in Tier One. The GOS is directly and actively working to combat trafficking in close partnership with NGOS, law enforcement and governments of other countries. This reporting cycle, the GOS has continued implementing the National Action Plan to Combat Trafficking in Persons for the period of 2004-2006, and it has completed work on a one year plan for 2007.

In 2006, the NGO Karitas cared for nine potential victims who required emergency housing and helped an additional 12 who were not in need of housing. Karitas helped eight to return to their country of origin which included Slovakia, Ukraine, Moldova, Colombia, Dominican Republic, Turkey, Albania, Montenegro and Macedonia. Nineteen of these potential victims were women and two were men. Most were between the ages of 20-23 with the youngest aged 19 and the oldest aged 35 years old. The NGO Kljuc also assisted potential victims in need of immediate housing (11) and assisted others (8) who did not require housing. Kljuc assisted 18 women, one man and three minors between the ages of 15-17. These potential victims came from Bosnia and Herzegovina, Slovakia, Bulgaria, Serbia, Ukraine and Montenegro.

Data are now collected in a more uniform and clearly defined manner for the second year in a row allowing for a more accurate picture of the TIP problem through statistics in Slovenia. The GOS continues to develop and increase investigations, prosecutions, convictions and sentences of traffickers. This year, seven people were convicted of trafficking and related crimes. Public awareness remains an important element of the Government's anti-trafficking work, as does sensitizing potential victims and making legal and social assistance available. Funding for victim protection in 2006 was awarded to the only NGO to compete for the contract, Karitas. In early 2007, two NGOs and a private company competed for two victim protection contracts. The Ministry of the Interior awarded a contract worth EUR 35,000, to the NGO Kljuc. The second, administered by the Ministry of Labor and worth EUR 33,000, was awarded at the end of February 2007 to Karitas. The value of these two tenders represents a 70% increase in funding for victim care over 2006 when a single contract valued at EUR 40,000 was awarded to Karitas. After a difficult situation in 2005, the

Government of Slovenia, in 2006, realized the goal of expanding the range of NGOs involved in anti-trafficking in Slovenia, increasing cooperation among those NGOs, and providing solid care for trafficking victims in Slovenia.

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Activities to Eliminate Trafficking in Persons  
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(A) Is the country a country of origin, transit or destination for internationally trafficked men, women, or children?

Slovenia is primarily a transit country for internationally trafficked victims. To a lesser extent it is also a destination country and, almost negligibly, a country of origin.

(B) General overview of trafficking in the country.

Victims of trafficking are trafficked to or through Slovenia mainly from Eastern Europe and more recently from Central and South America (Ukraine, Slovakia, Dominican Republic and Colombia) and Southeastern Europe (Romania, Moldova, Bulgaria, former Yugoslav republics). A very small number of persons are trafficked from Slovenia to Western Europe. (NOTE: there were no reported cases this year, however we feel it would be premature to remove this part of the response. END NOTE)

Trafficking does not appear to have increased nor decreased significantly since the last report. Sources and destinations of trafficking victims appear to follow patterns similar to past reporting. The primary source of reliable information is the Interdepartmental Working Group for Fighting TIP (IWG) and all agencies participating in the Group.

As in past years, there are still several (number varies depending on the season) bars and nightclubs located primarily along the Adriatic coast and Italian border that employ up to 1000 women and teenage girls as "artistic dancers." Owners of the bars and pimps, however, are not now always using the facade of the bar to conduct business. They have begun providing apartments for the women and allowing them to operate as call girls using advertisements in local papers and magazines.

(C) What are the limitations on the government's ability to address this problem in practice?

There are no limitations. Post is not aware of any government corruption related to TIP. The National Action Plan for fighting TIP was adopted in 2004 and covers the period until the end of 2006. A new one-year plan covering 2007 was adopted by the GOS in July 2006. In 2005, there were some problems with funding the NGO that provided care for victims.

In 2006, to encourage wider participation among NGOs and to ensure transparency of government funding, The Ministry of Labor, Family and Social Affairs and the Ministry of Interior published an open tender for care of victims of TIP. Only one NGO applied and it was awarded the one-year contract. In December 2006, two new tenders were published to cover victim care for 2007. The Ministry of the Interior awarded a contract worth EUR 35,000, to the NGO Kljuc. The second, administered by the Ministry of Labor and worth EUR 33,000, was awarded to Karitas. The value of these two tenders represents a 70% increase in funding for victim care over 2006 when a single contract valued at EUR 40,000 was awarded to Karitas. The MOI contract is for the maintenance of a safe house and the settling of the legal status of victims if they choose to cooperate with law enforcement. The Ministry of Labor contract is for crisis (immediate) housing (four days or less) and all "first contact" procedures.

(D) To what extent does the government systematically monitor its anti-trafficking efforts?

The IWG, which includes members from different ministries, parliament, NGOS, and media, coordinates all government and non-government activities in an effort to combat TIP. The IWG meets regularly during the year. In 2006 it met five times as a full body, and bimonthly in sub-groups. The IWG publishes and disseminates an annual report that details all its anti- trafficking efforts for each calendar year, usually in March.

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Prevention  
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(A) Does the government acknowledge that trafficking is a problem in the country?

Yes.

(B) Which government agencies are involved in anti-trafficking efforts?

The Ministries of Interior, Justice, Foreign Affairs, Health, Labor Family and Social Affairs, and most recently, Defense. Additionally, the GOS Statistical Office, The GOS Office for Public Relations and Media, the GOS Equal Opportunity Office, certain Parliamentary committees, and the Office of the Prime Minister are all involved in anti-trafficking efforts.

(C) Are there or have there been government-run anti-trafficking information or education campaigns?

Yes.

They are generally conducted in partnership with local NGOS and/or international organizations. GOS programs for increasing awareness are: the ongoing project "Vijolica" which has been conducted for the last several years by the NGO Kljuc, in elementary and secondary schools around Slovenia. The project is aimed at raising awareness of trafficking among children. In 2006, it reached 545 students and their parents. CAP, a program for prevention of abuse of children, has been in operation in Slovenia since 1994 and has included numerous workshops this year and addressed nearly 900 participants. Both programs were administered by the NGO Kljuc. The Ministry of Labor sponsors CAP, and Vijolica is sponsored by the City of Ljubljana. The GOS has established a web page (portal) with information regarding the problem of trafficking. In September, the Ministry of Interior and the Council of Europe jointly organized a conference titled "Taking Steps Against TIP." There was active participation from all stakeholders including judges, prosecutors, law enforcement and NGOs. Following the conference, the Ministry of Interior published a book which included all the presentations from the conference and the text of the COE convention against trafficking.

With excellent cooperation from the GOS State Prosecutor,s office and the Association of Slovenian Judges, Embassy Ljubljana sponsored a seminar on the role of the judiciary and cooperation with prosecutors on TIP in March 2007. This was the second event on TIP in which judges participated in less than six months, indicating an increased awareness of TIP and appreciation for the importance of prosecuting these cases.

(D) Does the government support other programs to prevent trafficking?

The Ministry of Labor, Family and Social Affairs selected NGO Kljuc to run a three-year project "(Re)integration of victims of TIP." The project operates in the framework of another Ministry program known as "Equal" (a partnership for development) and is currently funded through October 2007. The NGO Kljuc conducted research among Slovene employers to determine the possibilities for victims of TIP to obtain employment. The research was financed through the resources

of European Social Fund that earmarked over 55 million SIT (approx. \$275,000) for the entire three-year project. Based on this research, an agreement on a "Partnership for Development" was signed between the National Institution for Employment and transnational partners from Italy and Spin. Currently two people are included in the program of reintegration.

Additionally, the Parliament, on GOS initiative, adopted a resolution on equal opportunities for women and men 2005 - 2013. Among its strategic goals is the prevention of TIP and sexual exploitation for prostitution and pornography.

(E) What is the relationship between government officials, NGOS, other relevant organizations and other elements of civil society on the trafficking issue?

In general, cooperation is excellent. Government officials and activists work as equal partners in the IWG to assess progress and develop policy recommendations and collaborate on training and education efforts.

(F) Does it monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies respond appropriately to such evidence?

Yes. However in some cases, victims are not yet aware they are being trafficked when they are passing through Slovenia. This makes it more difficult to identify potential victims.

The National Institute for employment runs statistical data on foreign citizens employed in Slovenia. Special attention is given to the issuance of work permits for so called "risky professions" i.e. exotic dancers, show girls, construction workers and work permits for Chinese citizens, all of which are target categories for traffickers.

(G) Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters such as multi-agency working groups or a task force? Does the government have a trafficking in person's task force? Does the government have a public corruption task force?

Yes, the Interdepartmental Working Group (IWG). In addition, Slovenia has an Independent Commission for the Prevention of Corruption. The government is particularly active in the Stability Pact, the OSCE, CoE, Interpol, Europol, SECI Center in Bucharest, UNDP and ICMPD. Slovene police actively participate in the Interpol Working Group that fights against the Trafficking of Women and Children for Sex Exploitation.

(Note: We reported last year that the parliament adopted a law that will transform the Commission for the Prevention of Corruption into a Parliamentary Commission in May 2006. This has not happened and is currently being appealed to the Constitutional Court. The Commission continues to operate normally.)

(H) Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOS consulted in the process? What steps has government taken to disseminate the action plan?

Yes. The Ministries of Interior, Justice, Foreign Affairs, Health, Labor Family and Social Affairs, and most recently, Defense are part of the IWG. Additionally, the GOS Statistical Office, The GOS Office for Public Relations and Media, the GOS Equal Opportunity Office, certain Parliamentary committees, and the Office of the Prime Minister are all involved in anti-trafficking efforts. NGOS are also included in the Group.

Cooperation is excellent. Government officials and activists work as equal partners on the IWG to assess progress and develop policy recommendations and collaborate on training and education efforts

The IWG publishes and disseminates an annual report that details all its anti-trafficking efforts for each calendar year.

(Note: in the Fall 2005 the UNHCR closed its office in Ljubljana and now covers Slovenia from Budapest. IOM closed its office in Ljubljana at the beginning of 2006. Both had representatives in the IWG.)

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Investigation and prosecution of traffickers  
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(A) Does the country have a law specifically prohibiting trafficking in persons?

Yes. Trafficking in human beings has been defined as a criminal offense in the criminal code and is defined in the following articles: Article 185- "Exploitation through Prostitution," Article 187 "Presentation, Manufacture and Distribution of Pornographic Material," Article 311 - "Unlawful Crossing of the State border or State Territory," Article 387 - "Enslavement," and Article 387(a) "Trafficking in Human Beings."

Additionally Parliament passed changes to the Law on Criminal Procedure that broaden the rule according to which minors must have a legal representative to protect their rights. These changes are also reflected in the criminal act under article 387a of the Penal Code (Trafficking in Human Beings).

(B) What are the penalties for traffickers of people for sexual exploitation? For traffickers of people for labor exploitation?

Sentences can range from six months to ten years, depending on the criminal offense. Penalties under the new articles range from one to ten years' imprisonment.

(C) What are the penalties for rape or forcible sexual assault?

One to ten years' imprisonment, depending on the circumstances.

(D) Is prostitution legalized or decriminalized?

Prostitution is decriminalized. Specifically, activities of prostitutes are decriminalized. Activities of brothel owner/operator, clients, pimps and enforcers are criminalized under the Penal Code.

(E) Has the government prosecuted any cases against traffickers?

Yes.

Under Article 387a (Trafficking in Persons) - prosecutors launched two investigations against four suspects. Under this article, they also filed one criminal indictment against two suspects.

Under Article 387 (Forced Slavery) - prosecutors launched one investigation (on a case from 2005) and three criminal indictments (also from 2005 cases.)

Prosecutors successfully concluded a case, begun in 2001, against seven people, which resulted in various convictions. Because the law against trafficking in persons did not exist in 2001, Slovenian prosecutors had to make their case based on four statutes that did exist at that time: Article 387 (Forced Slavery), Article 185 (Abuse of Prostitution) Article 187 (Production and Dissemination of pornographic material) and Article 311 (Illegal border crossing).

In this case, all seven were indicted under all four statutes, but only one was convicted of all four crimes. The

rest were convicted of a lesser combination of the above. The prosecutors were able to win convictions of five years, imprisonment for one person, two years imprisonment for two people, 1 year 10 months for one person and three others were given probation.

(F) Is there any information or reports of who is behind the trafficking?

In Slovenia, traffickers are generally owners of nightclubs and local pimps. In the case described in section (E) two of the people involved were bar managers, three were bar tenders and two others were taxi drivers.

(G) Does the government actively investigate cases of trafficking?

Yes.

(H) Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

Yes. In 2006 the government continued with established programs provided by the NGO Kljuc together with the Police, Prosecution, and the Faculty of Social Work.

Based on previous "multiplier" training provided by Kljuc, the police conducted internal training reaching more than 800

members of the general police force in 2006.

Criminal police received specialized training in the second half of 2006 which covered a range of criminal activity and specific linkages to trafficking, including smuggling, money laundering, and disclosure of illegal profits.

The GOS also funded three cycles of training for the General Police Administration hotline operators; two cycles of training for Asylum Home staff; and one comprehensive training session for Slovenian troops heading to Kosovo to take up peace-keeping duties.

Through the Peace Institute, the GOS funded programs on East-East cooperation on trafficking, and one program for border police on border monitoring and trafficking in human beings.

(I) Does the government cooperate with other governments in the investigation and prosecution of trafficking cases?

Yes. The government is particularly active in the Stability Pact, the OSCE, CoE, Interpol, Europol, SECI Center in Bucharest, UNDP and ICMPD. In 2006 GOS representatives participated in conferences sponsored by the OSCE, CoE, ICMPD, EU and IOM.

Slovene police actively participate in the Interpol Working Group that fights against the Trafficking of Women and Children for Sex Exploitation. The group also actively cooperated on the project, "Red Routes," which focused on sharing data and methods and procedures on investigations. A special line of cooperation was established with EUROPOL to take advantage of its anti-trafficking database "Maritsa." This was particularly useful for joint effort on cases involving migration of trafficking victims from east to west Europe.

(J) Does the government extradite persons who are charged with trafficking in other countries?

In principle, yes. However, we are unaware of any such requests in the current reporting period.

(K) Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level?

Post is not aware of government officials being involved in

trafficking. Additionally, the NGO Kljuc was very active in the context of the international organization ACTA (Anti corruption and Anti trafficking action) in which NGOS from ten other countries are included.

(L) If government officials are involved in trafficking, what steps has the government taken to end such participation?

(M) N/A

(N) Has the government signed, ratified, and/or taken steps to implement the following international instruments?

ILO Convention 182 - ratified in March 2001

ILO Convention 29 - ratified in May 1992

ILO Convention 105 - ratified in June 1997

CROC Optional protocol - signed in September 2000

The protocol to prevent, suppress and punish trafficking in persons, especially women and children, child prostitution, and child pornography - ratified in April 2004.

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Protection and assistance to victims  
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(A) Does the government assist victims?

Yes. The National Action Plan identifies The Project Against Trafficking and Sex and Gender Based Violence (PATS) which is jointly administered by Asylum Section of the Ministry of Interior of the GOS, Kljuc, and the NGO Slovene Philanthropy, as its primary program for providing information and assistance to trafficking victims. The objectives of this program are to introduce formalized mechanisms to provide information to those asylum-seekers most at risk of falling prey to human traffickers and to assist and protect victims of human trafficking and sex and gender based violence. In the framework of this project, Kljuc led informational discussions with the residents of the Asylum Center in Ljubljana. The Ministry of Foreign Affairs is also actively involved in the project and supports efforts to disseminate information about Slovenia's programs in the region.

(B) Does the government provide funding or other forms of support to foreign or domestic NGOS for services to victims?

Yes. Karitas was funded with EUR 40,000 through the Ministry of Labor to provide care to victims.

(C) Is there a screening and referral process in place, when appropriate, to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to NGOS that provide short- or long-term care?

Yes. The Ministry of Interior has an agreement with Kljuc to provide these services.

(D) Are the rights of victims respected, or are victims also treated as criminals? Are victims detained, jailed, or deported?

Victims are not treated as criminals and Kljuc and the Police Administration work cooperatively according to the MOU.

(E) Does the government encourage victims to assist in the investigation and prosecution of trafficking?

Yes. The MOU between the MOI and Kljuc specifically provides for further extensions of residency status for victims participating in the prosecution of traffickers.

(F) What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice?

Witness protection is nearly impossible in this country, with its small (less than 2 million) and mostly homogenous (90% ethnic Slovene) population living almost entirely in small towns and villages.

A "Law on Witness Protection" was adopted by the Parliament in November 2005. This law generally provides for the protection of witnesses through temporary relocation of protected witness, new identity, and international exchange of witnesses on the basis of bilateral agreements. The GOS is now looking at possible witness protection programs in the wider EU context, as a potential solution to the problems posed by the size and homogeneity of Slovenia.

(G) Does the government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including special needs of trafficked children? Does the government provide training on protection and assistance to its embassies and consulates in foreign countries that are destination or transit countries?

Yes. See section (C) under Prevention. Additionally, many of the "multiplier" programs funded in the past are now the primary source of anti-trafficking training within the police force.

(H) Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

Because the numbers are so small, there are no specific governmental programs for Slovenian victims. Kljuc and Karitas work with other local NGOS to help repatriated victims take advantage of the extensive network of regular government-provided social services.

(I) Which international organizations or NGOS, if any, work with trafficking victims?

In 2006 the local office of Karitas (the Catholic charity) won the contract to care for victims of trafficking. Kljuc continued to provide some care and a variety of legal, psychological and other counseling services to foreign and Slovenian victims. Slovene Philanthropy also provides a variety of social services to victims. The GOS through the Ministry of Labor, Family and Social Affairs, published an open tender in February 2006 seeking interest from NGOS to provide care for victims. While only one NGO responded to this call, it was an NGO, which had not previously been active in anti-trafficking (Karitas), thus adding a much needed new partner to the fight against trafficking in Slovenia.

ROBERTSON